

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE

Case

27-CB-294378

Date Filed

04/20/2022**INSTRUCTIONS:** File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.**1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT**

a. Name Workers United, an SEIU affiliate	b. Union Representative to contact Edgar Romney Secretary-Treasurer	
c. Address (Street, city, state, and ZIP code) 22 South 22nd St Philadelphia, PA 19103	d. Tel. No. (646) 448-6414	e. Cell No.
	f. Fax No. (215) 575-9065	
	g. e-mail edgar.romney@workers-united.org	

h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) 8(b)(1)(a) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

See attachment.

3. Name of Employer Starbucks Corporation	4a. Tel. No. 414-291-5536	b. Cell No. 414-374-3980	c. Fax No. 414-291-5539
	d. e-mail atuzzo@littler.com		

5. Location of plant involved (street, city, state and ZIP code) 2975 E. Colfax Ave, Denver, CO 80206	6. Employer representative to contact Adam-Paul Tuzzo
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7. Type of establishment (factory, mine, wholesaler, etc.) Restaurant	8. Identify principal product or service Food and Beverage	9. Number of workers employed
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10. Full name of party filing charge Starbucks Corporation

11. Address of party filing charge (street, city, state and ZIP code) 2975 E. Colfax Ave, Denver, CO 80206	11a. Tel. No. 414-291-5536	b. Cell No. 414-374-3980	c. Fax No. 414-291-5539
	d. e-mail atuzzo@littler.com		

12. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. _____ /s/ Adam-Paul Tuzzo (signature of representative or person making charge) _____ Adam-Paul Tuzzo (Print/type name and title or office, if any) Address <u>111 E. Kilbourn Ave, Suite 1000, Milwaukee, WI 53202</u> Date <u>4/20/2022</u>		Tel. No. 414-291-5536
		Cell No. 414-374-3980
		Fax No. 414-291-5539
		e-mail atuzzo@littler.com

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Attachment to Charge Against Workers United
Colfax and Milwaukee,
Denver, Colorado

Within the last six months, Workers United, a labor organization which purports to support partners at Starbucks, by and through its agents, has unlawfully restrained and coerced partners in the exercise of their rights guaranteed by Section 7 of the Act and as such have violated Section 8(b)(1) of the National Labor Relations Act.

This unlawful conduct includes, but is not limited to, physically blocking ingress and egress at the store located at 2975 E. Colfax Ave in Denver, Colorado, making threats, bullying, and physically intimidating partners in retaliation for their decision not to support of Workers United's organizing drive, doing the same to customers in retaliation for their continued loyalty to and patronage of the store, yelling profanity and obscenities at partners and/or customers, and/or impacting cars with objects such as a picket sign as they attempted to enter and leave the store property.

The conduct of Workers United and their agents has not only violated the Act, but it has jeopardized physical safety, caused severe emotional distress, and unlawfully interfered with business operations. In order to protect the physical safety and emotional wellbeing of its partners and customers, as well as the Company's legitimate business interests, and to prevent future occurrences of this unlawful conduct by Workers United, Starbucks respectfully requests immediate 10(j) relief.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 27
Byron Rogers Federal Office Building
1961 Stout Street, Suite 13-103
Denver, CO 80294

Agency Website: www.nlr.gov
Telephone: (303)844-3551
Fax: (303)844-6249



Download
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April 20, 2022

Edgar Romney, Secretary-Treasurer
Workers United an SEIU affiliate
22 South 22nd Street
Philadelphia PA 19103

Re: Workers United, an SEIU affiliate
(Starbucks Corporation)
Case 27-CB-294378

Dear Mr. Romney:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney ISABEL C. SAVELAND whose telephone number is (720)598-7416. If this Board agent is not available, you may contact Regional Attorney LETICIA PENA whose telephone number is (720)598-7412.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

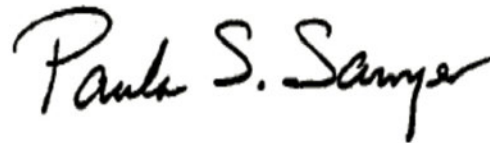
In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive

correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Paula S. Sawyer". The signature is written in a cursive, flowing style.

PAULA S. SAWYER
Regional Director

Enclosure: Copy of Charge



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 27
Byron Rogers Federal Office Building
1961 Stout Street, Suite 13-103
Denver, CO 80294

Agency Website: www.nlr.gov
Telephone: (303)844-3551
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Download
NLRB
Mobile App

April 20, 2022

Starbucks Corporation
2975 East Colfax Avenue
Denver CO 80206

Re: Workers United, an SEIU affiliate
(Starbucks Corporation)
Case 27-CB-294378

Dear Sir or Madam:

The charge that you filed in this case on April 20, 2022 has been docketed as case number 27-CB-294378. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney ISABEL C. SAVELAND whose telephone number is (720)598-7416. If this Board agent is not available, you may contact Regional Attorney LETICIA PENA whose telephone number is (720)598-7412.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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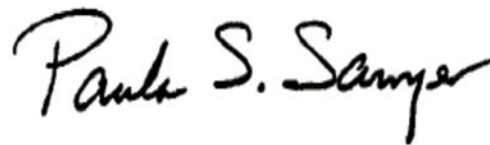
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receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Paula S. Sawyer". The signature is written in a cursive, flowing style.

PAULA S. SAWYER
Regional Director

Enclosure: Commerce Questionnaire

cc: Adam-Paul Tuzzo, Attorney
Littler Mendelson PC
111 East Kilbourn Avenue
Suite 1000
Milwaukee WI 53202

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Starbucks Corporation
and
Workers United

CASE 27-CB-294378

EXCLUSIVE SERVICE

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____
Starbucks Corporation

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: <u>Brittany L. Stepp</u>	
MAILING ADDRESS: <u>Littler Mendelson, P.C. - Three Parkway, 1601 Cherry Street, Suite 1400 Philadelphia, PA 19102</u>	
E-MAIL ADDRESS: <u>BStepp@littler.com</u>	
OFFICE TELEPHONE NUMBER: <u>(267) 402-3124</u>	
CELL PHONE NUMBER: <u>(267) 207-5843</u>	FAX: <u>(267) 402-3131</u>
SIGNATURE: <u>/s/ Brittany L. Stepp</u>	
DATE: <u>4/22/2022</u> <small>(Please sign in ink.)</small>	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Workers United
and
Starbucks Corporation

CASE 27-CB-294378

EXCLUSIVE SERVICE

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____
Starbucks Corporation

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

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(REPRESENTATIVE INFORMATION)

NAME: Adam-Paul Tuzzo	
MAILING ADDRESS: Littler Mendelson, P.C. - 111 East Kilbourn Avenue, Suite 1000, Milwaukee, WI 53202	
E-MAIL ADDRESS: atuzzo@littler.com	
OFFICE TELEPHONE NUMBER: (414) 978-4606	
CELL PHONE NUMBER: (414) 374-3980	FAX: (414) 291-5526
SIGNATURE: /s/ Adam-Paul Tuzzo (Please sign in ink.)	
DATE: 04/22/2022	

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NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Workers United
and
Starbucks

CASE 27-CB-294378

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____
Chicago & Midwest Regional Joint Board, Workers United/SEIU

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

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(REPRESENTATIVE INFORMATION)

NAME: <u>Robert S Cervone</u>	
MAILING ADDRESS: <u>8 S Michigan Ave., 1900 Chicago 60603</u>	
E-MAIL ADDRESS: <u>rcervone@laboradvocates.com</u>	
OFFICE TELEPHONE NUMBER: <u>3128018848</u>	
CELL PHONE NUMBER: _____	FAX: _____
SIGNATURE: <u>Robert S Cervone</u> (Please sign in ink.)	
DATE: <u>5/17/22</u>	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.